

BOBBY JINDAL

GOVERNOR

cc: Ms. Colleen Scherer



JOEY WATSON
EXECUTIVE DIRECTOR

State of Louisiana Crime Victims Reparations Board MINUTES

MEETING DATE: January 12, 2016

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Mr. James Franklin, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Keva Sims, Ms. Amanda Tonkovich, Ms. Lucille Williams,

MEMBERS ABSENT: N/A

STAFF PRESENT: Robert Wertz, Carla Trahan and Margaret Watson.

GUESTS PRESENT: Kent Wolkart, Justin W. Beniot, Stephaie Minto-Gibson, Jane Woods and Rikki Ruffin.

I. CALL TO ORDER

Ms. Polak called the Crime Victims Reparations Board meeting for the date of January 12, 2016 to order at 9:10 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. DiBenedetto made a motion to approve the minutes of the previous Board meeting. Ms. Adcock seconded the motion. The motion passed unanimously.

Louisiana Commission on Law Enforcement

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III. APPEALS

A 1. Orleans 14-122

Ms. Williams made a motion to uphold the Board's previous decision and to deny the appeal under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

Mr. Franklin made a motion to confirm the emergency rulings for the previous month. Ms. Sims seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Ascension 15-003

Ms. Rodi made a motion to award \$5,000.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 2. Caddo 14-033

Ms. Adcock made a motion to approve total and permanent disability, increasing the case maximum eligibility and to award \$11,475.97 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 3. Caddo 14-074

Ms. Adcock made a motion to award \$375.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/16/15.

F 4. Calcasieu 13-067

Ms. Rodi made a motion to award \$225.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The Board also voted to allow Mental Health sessions only through 2/29/16.

F 5. Calcasieu 14-025

Ms. Williams made a motion to award \$67.95 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 6. Calcasieu 14-027

Ms. Sims made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

F 7. Calcasieu 14-037

Mr. DiBenedetto made a motion to deny under authority of LAC22:8.301(A)(1)(a)(iii) (victim contribution). Mr. Franklin seconded the motion and the motion passed unanimously.

F 8. Calcasieu 14-058

Mr. Franklin made a motion to award \$225.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 9. Calcasieu 14-063

Mr. DiBenedetto made a motion to defer claims awaiting Treatment Update was never received. Ms. Rodi seconded the motion and the motion passed unanimously.

F 10. Calcasieu 15-027

Mr. Franklin made a motion to defer claims awaiting Initial Treatment Plan was requested but not received. Ms. Sims seconded the motion and the motion passed unanimously.

F 11. Calcasieu 15-030

Mr. Franklin made a motion to award \$150.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed 7 to 1 with no abstentions.

F 12. Calcasieu 15-060

Ms. Sims made a motion to approve eligibility and to approve the medical estimate for \$1,000.00. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 13. Calcasieu 15-083

Ms. Rodi made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 14. Calcasieu 15-107

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Mr. Franklin seconded the motion and the motion passed unanimously.

F 15. East Baton Rouge 14-035

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Mr. Franklin seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 16. East Baton Rouge 14-043

Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 17. East Baton Rouge 14-047

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Mr. Franklin seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 18. East Baton Rouge 14-067

Mr. Franklin made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 19. East Baton Rouge 14-070

Ms. Sims made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 20. East Baton Rouge 15-031

Ms. Sims made a motion to award \$4,500.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 21. East Baton Rouge 15-033

Ms. Sims made a motion to award \$1,223.20 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 22. East Baton Rouge 15-045

Ms. Sims made a motion to award \$150.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. A Treatment Update for 9/26/15 was requested.

F 23. East Baton Rouge 15-059

Ms. Sims made a motion to award \$4,500.00 for FUNERAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 24. East Baton Rouge 15-066

Ms. Sims made a motion to award \$3,460.50 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 25. East Feliciana 14-004

Mr. Franklin made a motion to approve the eligibility of this claimant. Ms. Sims seconded the motion and the motion passed unanimously.

F 26. Iberville 13-004

Mr. Franklin made a motion to award \$407.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 27. Jefferson 14-033

Ms. Rodi made a motion to award \$800.00 for FUNERAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Sims seconded the motion and the motion passed unanimously.

F 28. Lafayette 15-004

Ms. Sims made a motion to award \$765.35 for MEDICAL, \$4,099.28 for FUNERAL. Mr. Franklin seconded the motion and the motion passed unanimously.

F 29. Lafourche 13-051

Ms. Sims made a motion to award \$445.02 for MEDICAL. Mr. Franklin seconded the motion and the motion passed unanimously.

F 30. Lafourche 14-042

Ms. Adcock made a motion to award \$6,394.85 for MEDICAL, \$50.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 31. Lafourche 15-017

Ms. Tonkovich made a motion to award \$4,071.00 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 32. Natchitoches 14-007

Mr. Franklin made a motion to award \$3,749.23 for FUNERAL and to approve an estimate for \$1,250.77 for FUNERAL. Ms. Adcock seconded the motion and the motion

V. ITEMS FOR FULL DISCUSSION

passed unanimously.

F 33. Orleans 13-069

Ms. Rodi made a motion to award \$5,000.00 for WAGE. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 34. Orleans 14-068

Ms. Tonkovich made a motion to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 35. Orleans 14-099

Mr. Franklin made a motion to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 36. Orleans 14-102

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 37. St. Charles 14-034

Ms. Tonkovich made a motion to award \$510.00 for MENTAL HEALTH. Mr. Franklin seconded the motion and the motion passed unanimously.

F 38. St. Charles 14-035

Ms. Tonkovich made a motion to award \$510.00 for MENTAL HEALTH. Mr. Franklin seconded the motion and the motion passed unanimously.

F 39. St. Charles 15-046

Ms. Sims made a motion to award \$262.50 for MENTAL HEALTH. Mr. Franklin seconded the motion and the motion passed unanimously. A Treatment Update was requested for 1/24/16.

F 40. St. Martin 14-009

Mr. Franklin made a motion to award \$2,730.00 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 40. St. Martin 14-009

Ms. Sims made a motion to award \$2,270.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 41. St. Tammany 15-011

Ms. Tonkovich made a motion to award \$5,039.65 for MEDICAL, \$215.89 for AMBULANCE TRANSPORT (MEDICAL), \$197.56 for MENTAL HEALTH. Ms. Sims seconded the motion and the motion passed unanimously.

F 42. St. Tammany 15-013

Ms. Tonkovich made a motion to award \$435.29 for WAGE, \$365.94 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 43. Terrebonne 14-004

Ms. Sims made a motion to award \$800.00 for AMBULANCE TRANSPORT (MEDICAL), \$409.75 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 44. Terrebonne 14-010

Ms. Rodi made a motion to award \$330.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Bossier 14-010

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

L 2. East Baton Rouge 14-024

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Mr. Franklin seconded the motion and the motion passed unanimously.

L 3. East Baton Rouge 14-073

Ms. Tonkovich made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously.

L 4. East Baton Rouge 14-074

Ms. Tonkovich made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously.

L 5. Jefferson 14-026

Ms. Rodi made a motion to approve the eligibility of this claimant. Mr. Franklin seconded the motion and the motion passed unanimously.

L 6. Lafayette 13-023

Mr. Franklin made a motion to approve the eligibility of this claimant. Ms. Sims seconded the motion and the motion passed unanimously.

L 7. Lafayette 14-011

Mr. Franklin made a motion to approve the eligibility of this claimant. Ms. Sims seconded the motion and the motion passed unanimously.

L 8. Orleans 14-052

Mr. Franklin made a motion to approve the eligibility of this claimant. Ms. Sims seconded the motion and the motion passed unanimously.

L 9. Orleans 14-054

Ms. Tonkovich made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

The Board rescheduled the February Board meeting from February 9, 2016 to February 18, 2016 due to the Mardi Gras holiday.

The Board discussed the Lonnie Jackson case which involves his attorney requesting that the Board waive reimbursement of expenses paid by the Board, because to his lawsuit settlement was not enough to cover his medical expenses. An extension was granted for the Board to respond to that request. Mr. Jackson's attorney requested that discussion be postponed until the next Board meeting. The Board agreed because more documentation from the attorney is forthcoming.

Mr. Wertz discussed the recent updates involving sexual assault cases: Notice of Intent, Policy, Rules. Mr. DiBenedetto made a motion to adopt as emergency rules the information in the Notice of Intent. Ms. Sims seconded the motion and the motion passed unanimously.

Emergency awards were discussed. The Board discussed issuing emergency award for funeral expenses and decided to only pay direct funeral costs expenses such as the funeral home, the cemetery costs and the cost of transporting a body. Any other expenses may be requested on a regular application.

The Board also decided to set a policy that emergency awards would not be issued for undocumented persons except in the cases of domestic violence, sexual assault, and human trafficking.

The Board discussed "Go-Fund-Me" accounts and decided to disregard them since there is no way to know what payments to them are intended for and how much money was actually collected.

Ms. Adcock and Ms. Williams stated that they would be resigning from the Board. The official resignation date is February 1, 2016.